

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

JAMES D. SULLIVAN and LESLIE ADDISON,
WILLIAM S. SUMNER, JR., RONALD S.
HAUSTHOR, GORDON GARRISON, TED and
LINDA CRAWFORD, and BILLY J. KNIGHT,
Individually and on behalf of Class of persons
similarly situated,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORPORATION,

Saint-Gobain.

Civil Action

Docket No. 5:16-cv-00125-gwc

**UNOPPOSED MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT**

Plaintiff Class Representatives James D. Sullivan, Leslie Addison, Ronald S. Hausthor, Gordon Garrison, Ted Crawford, Linda Crawford, and Billy J. Knight, on behalf of themselves and the Class Members, have entered into a Class Settlement Agreement resolving all of their claims against Defendant Saint-Gobain Performance Plastics Corporation. Under Rule 23(e) of the Federal Rules of Civil Procedure, the settlement of the claims of the Class Representatives and the Class Members is subject to final approval by the Court. Accordingly, pursuant to Rule 23(e), Plaintiffs move the Court to enter an Order:

- a. Approving the terms and conditions of the Settlement embodied in the Settlement Agreement as fair, adequate, and reasonable under Federal Rule of Civil Procedure 23(e);
- b. Approving the plan for distributing the Property Class Settlement proceeds to Property Class Members, on a per property basis, as effective and equitable in its treatment of Property Class Members relative to each other;

- c. Approving Incentive Awards to the Class Representatives for their service in this matter;
- d. Ordering the establishment of the Court-Supervised Medical Monitoring Program;
- e. Confirming the appointment of: (1) Mr. Edward Gentle as Medical Monitoring Program Administrator; (2) KCC Class Action Services, LLC (“KCC”) as Property Settlement Administrator, and (3) Mr. John Schraven as Special Master;
- f. Awarding Class Counsel their requested attorney’s fees and expenses;
- g. Dismissing this action with prejudice and entering final judgment as to Saint-Gobain pursuant to Federal Rule of Civil Procedure 54(b);
- h. Ruling that each of the Releasing Parties has released, waived, compromised, settled, and discharged all Released Claims, and barring and enjoining Class Members from commencing, asserting, and/or prosecuting any and all Released Claims against any Released Party;
- i. Approving the Litigation Settlement Bond previously sent to the Court;
- j. Confirming that Saint-Gobain has complied with and otherwise discharged its obligations under the Class Action Fairness Act, 28 U.S.C. § 1715(b) [Docket entry 463];
- k. Reserving the Court’s exclusive and continuing jurisdiction over the Parties, Class Members and the Settlement and its orders in this matter, including, but not limited to, the Medical Monitoring Program and the Qualified Settlement Fund; and
- l. Expressly incorporating the terms of the Settlement therein.

This Motion is accompanied by Plaintiffs’ Memorandum of Law in support, which attaches as exhibits the following: the proposed Settlement Agreement (Exhibit 1); a joint declaration from Class Counsel (Exhibit 2); a declaration from John A. Schraven (Exhibit 3); a declaration from Gio Santiago (KCC) (Exhibit 4); a declaration from Wendy E. Radcliffe, Esq. (Exhibit 5); a

proposed Order Granting Injunctive Relief (Exhibit 6); and a proposed Final Approval Order (Exhibit 7).

Respectfully submitted, this 28th day of March, 2022.

/s/ Gary A. Davis

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 28, 2022, a copy of the foregoing was filed electronically in the United States District Court for the District of Vermont. Notice of filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

/s/ Gary A. Davis
Attorney for Plaintiffs